

ORDINANCE 1911-2015

AN ORDINANCE OF THE TOWNSHIP OF GALLOWAY, COUNTY OF ATLANTIC, STATE OF NEW JERSEY AUTHORIZING AND APPROVING THE VACATION OF A PORTION OF COLLINS STREET

WHEREAS, there exists in Galloway Township an unimproved “paper” street known as Collins Street as shown on the official tax map of the Township of Galloway dated January 2007; and

WHEREAS, N.J.S.A. 40:67-19 authorizes a municipality by Ordinance to release and extinguish the public’s rights in property dedicated as a public street which has never been accepted or opened by the municipality where the public interest will be better served by releasing those lands from such dedication; and

WHEREAS, the Township Engineer and the Township Planner recommend the vacation of the “paper” street identified as a portion of Collins Street; and

WHEREAS, none of the adjacent lots will be “landlocked” by this street vacation; and

WHEREAS, the Township Council finds that it is in the best interest of the Township and the public to vacate a portion of the “paper” street identified as Collins Street from the intersection of Genoa Avenue extending to the northwestern terminus of Collins Street also, being the portion of Collins Street adjacent to lots 18 and 19 of block 504, lot 30 of block 504 and lot 31.01 of block 504 as shown on the official tax map of the Township of Galloway.

NOW, THEREFORE, be it ordained by the Council of the Township of Galloway, County of Atlantic, State of New Jersey, as follows:

1. Pursuant to N.J.S.A. 40:67-1 and subject to the conditions set forth therein the rights of the public in and to a portion of the public street known as Collins Street from the intersection of Genoa Avenue extending to the northwestern terminus of Collins Street, also being the portion of Collins Street adjacent to lots 18 and 19 of block 504, lot 30 of block 504 and lot 31.01 of block 504 as shown on the official tax map of the Township of Galloway, is hereby released, extinguished and vacated; and
2. In accordance with N.J.S.A. 40:67-1 any rights and privileges heretofore possessed by public utilities as defined in N.J.S.A. 40A:2-13 and any cable telephone company as defined in N.J.S.A. 40A:5A-1 et seq., to maintain or repair their existing facilities adjacent to, over or under the street to be vacated are expressly reserved and excepted from this Vacation Ordinance; and
3. The Acting Township Clerk shall within sixty (60) days of the effective date of this Ordinance, file a copy of the Ordinance, certified under the seal of the Township to be a

true copy of such Ordinance, together with a copy of the proof of publication thereof, in the office of the Atlantic County Clerk in accordance with the provisions of N.J.S.A. 40:67-21; and

4. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and
5. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and
6. This Ordinance shall take effect following adoption and approval in the time and manner prescribed by law.

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced in and passed the first reading at a meeting of the Township Council of the Township of Galloway, County of Atlantic and State of New Jersey, held on May 26, 2015, and said Ordinance will be further considered for final passage and adoption at a public hearing to be held at the Municipal Complex located at 300 East Jimmie Leeds Road, Galloway, New Jersey 08205, on June 23, 2015, at 6:30 PM or as soon thereafter as the matter may be reached.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF GALLOWAY

Kelli Danieli
Acting Township Clerk

Recorded Vote:	MOTIONS	AYE	NAY	ABSTAIN	ABSENT
Coppola					
Gargione					
Gorman					
Maldonado					
Meadows					
Tyrrell					
Purdy					